IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.866 OF 2005

Mr.Sanjay Singh. ... .. Petitioner
v/s.
State of Mah. & anr. ... .. Respondents

Mr.D.R. Tiwari for petitioner.

Ms.P.A.Purandare for res.No.2.

Mr.A.C.Singh for res.No.3.

Respondent No.4 (present in Court).

CORAM : H.L. GOKHALE &
S.C.DHARMADHKARI, JJ.

DATE : 5th May 2005

P.C. :

1. Heard the learned Counsel for the parties.

2. A notice was issued in this matter, principally because this Court felt concerned after going through the petition with respect to the reduction of the passages inside the two markets. The Municipal Corporation was, therefore, asked to file a reply. The reply has been filed by one Mr.Gangadhar Baban Gagare, Sub-Engineer, P/North Ward, Liberty Garden, Malad (West). Ms.Purandare, learned Counsel appearing

for the Municipal Corporation, had stated on the last date when Mr.Saraogi, learned Counsel appearing for the petitioner, was present, that there is no such encroachment in the passages except for about 6 Inches or Foot or so all throughout and wherefor necessary appropriate actions are being taken. This being the position, we are not inclined to interfere in writ jurisdiction. The petition is rejected.

(H.L. GOKHALE, J.)

(S.C.DHARMADHIKARI, J.)